

# EPA REGION III

◇ Office of Public Affairs

◇ PM Headlines

**Wednesday, March 7, 2012**

**\*\*\* PM HOT LIST \*\*\***

## **Concerns Grow Over Radioactive Pollutants in Pennsylvania**

**ENVIRONMENTAL EXPERT** Cinnaminson, NJ, March 5th, 2012 -- Last month, *The New York Times* published a story about Pennsylvania environmental regulators calling waste treatment and drinking water facilities to increase testing for radioactive materials. The concerns have been prompted by a dramatic increase in natural gas drilling across the state. Wastewater from some of these drilling sites ends up at treatment plants. According to the article, the move follows a recent letter that the Environmental Protection Agency (EPA) sent to the state instructing it to perform testing for radioactivity within 30 days and to review the permits of state treatment plants handling the wastewater. The acting secretary of the Pennsylvania Department of Environmental Protection (DEP) has sent letters requiring additional testing to 14 public water authorities as well as requesting 25 wastewater treatment plants to begin analyzing samples for radium and uranium.

## **Activists: EPA should end Va.'s water permit power**

**ASSOCIATED PRESS (Va.)**

APPALACHIA, Va. (WTW) — Activists want the Environmental Protection Agency to strip Virginia regulators of the power to grant federal Clean Water Act permits for mountaintop removal coal mines. The Sierra Club, Southern Appalachian Mountain Stewards and Appalachian Mountain Advocates say Virginia has consistently violated federal law in failing to notify the public when it issues such permits. They say residents are also entitled to public hearings. EPA and the Virginia Department of Mines, Minerals and Energy say they're reviewing the petition but didn't comment further Wednesday. Matt Helper of Southern Appalachian Mountain Stewards says Virginia's notification system is inadequate, and Freedom of Information Act requests to the state agency are prohibitively expensive. Other states, including West Virginia and Kentucky, post basic mine permit information online. Helper says Virginia's system needs updating.

## **Delaware's plan for cleaner streams**

**NEWSWORKS.ORG** The public is invited to attend a forum on Delaware's Watershed Implementation Plan for the Chesapeake Bay Watershed today. The event runs from 4:00-7:00 p.m. at the Farmington Volunteer Fire Company at 20920 S. Dupont Hwy., U.S. Route 13 in Farmington. Committee members and partners will present the status and work underway on Delaware's plan for cleaner instate streams and the Chesapeake Bay – the Draft Phase II Watershed Implementation Plan (WIP). The public can meet one-on-one with committee members, view posters and materials, ask questions and learn how they can get involved in developing and implementing Delaware's plan. Written public comments will be accepted at the forum. The public comment period for

Delaware's Draft Phase II WIP continues through March 21, 2012.

## **Chesapeake Born: Restoring Our Waters Requires Vigilant Monitoring**

**SOUTHERN MARYLAND ONLINE** *Environmental Commentary by Tom Horton* In the highest tech hospital, one of the first things they still do is simply take your pulse. And if I could go back to when the Chesapeake Bay's health was better and make changes to keep it that way, a lot of them would focus on simply taking the estuary's vital signs. Comprehensive, long-term and well-publicized monitoring of trends in water chemistry, aquatic life, and land use throughout the watershed could have saved so much time and argument. It could have saved money by preventing the worst declines and by guiding restoration more efficiently. Many of today's best bay successes and restoration efforts sprang from excellent monitoring. Monitoring will never lend itself to photo ops and glad press releases; indeed, it may initially reveal bad news. Measuring vital parameters like the density and variety of burrowing organisms in bay sediments is out of sight, out of mind, always a tempting budget cut. Yet there are probably no ecosystems on earth where continuous data collection is more crucial for managing than in estuaries like the Chesapeake.

## **Revitalizing Baltimore key to state's economic health**

**MARYLAND GAZETTE** Federal role in port investment considered. Baltimore's made significant strides from the urban decay of the 1980s, in part because of federal investment in a wide range of revitalization efforts. The federal government has invested in countless programs in Baltimore — from helping to fund the expansion of Johns Hopkins University to redevelopment of older neighborhoods to environmental programs to clean up the Patapsco River and Army Corps of Engineering programs to dredge the harbor. In 2012, alone, more than \$18.6 million will be spent on annual dredging of the Chesapeake Bay and Delaware Canal, used as a shortcut between Baltimore and ports north, and \$13.6 million for dredging the port's shipping channels. Sen. Barbara Mikulski (D) of Baltimore calls such federal investments a "jobs" bill because more than 50,000 jobs are tied to Baltimore's port. "This federal investment in the lives and livelihoods of those who depend on clean and open waterways will keep businesses open and keep Marylanders working," Mikulski said. "Without federal funding, our dredging program doesn't happen," said Richard Scher, director of communications for the Maryland Port Administration. "Keeping channels deep and wide enough to accommodate today's massive cargo vessels is critical for a port's survival."

## **Ghost pot program relaunched**

**SALISBURY DAILY TIMES**

DEAL ISLAND -- Watermen will go to work in about two weeks, removing old crab pots and other debris that harm underwater species on the bottom of the Chesapeake Bay. The state's ghost pot retrieval program also helps put watermen to work at a normally slow time of year. "Oystering is dwindling down and it's too early for crabbing," said Danny Webster of Deal Island. "Watermen need the money." Webster said he has applied to take part in this year's program, but hasn't yet heard if he has been selected. The state received 1,000 applications, but will narrow that number down over the next few weeks, he said.

## **Niagara Falls Won't Treat Drilling Wastewater**

**WAMC-TV** NIAGARA FALLS, NY (WAMC) - The Niagara Falls City Council has voted to ban the treatment of waste-water from hydraulic fracturing. WAMC's Dave Lucas reports... Leaders of the city that endured the Love Canal toxic waste crisis in the 1970s say they don't want it to be a test case for so-called fracking waste. Councilman Glenn Choolokian says the council voted 5-0 Monday night to pass his resolution banning the transport, treatment, storage and disposal of waste-water left over from natural gas drilling. The Niagara Falls Water Board has been exploring the idea of treating the waste-water as a way to restore declining revenues. Because the water board is a public authority, it's not immediately clear which entity has final say on the issue. But Choolokian says he's confident his resolution would stand up to any court challenge.

## **DEP Secretary: Budget Does Something Very Important- No Staff**

### **Layoffs NORTHCENTRALPA.COM**

Department of Environmental Protection Secretary Michael Krancer underwent nearly three hours of questions about his agency's 2012-13 proposed budget from members of the House Appropriations Committee today. Most of the questions were the same as those from the Senate budget hearing. Secretary Krancer said one of the most important accomplishments in this budget is that it funds the agency programs without any staff furloughs. In contrast, Gov. Rendell's last budget resulted in taking DEP's budget back to 1994-95 levels and layoffs at DEP and DCNR. A copy of Secretary Krancer's formal budget statement is available online. Here are some highlights from the questions asked-- **Marcellus Shale Inspections:** Secretary Krancer said the agency has significantly increased the number of inspections of Marcellus Shale drill sites from about 16,000 in 2010 to 24,000 in 2011. Secretary Krancer also explained an internal team of DEP staff reviewed the agency's oil and gas enforcement policies, the violations issued and enforcement actions taken and announced recommended program changes aimed at achieving more consistency last November. DEP has already implemented a more detailed electronic inspection form and developed additional training for inspectors and water quality specialists. **Dimock Drilling Water Issues:** In response to a question about water issues in Dimock and drilling, Secretary Krancer said his processor did a good job on the issues there and the consent order signed in 2010. He said residents have been given options for treating their well water. He noted the Center for Rural Pennsylvania documented as many as 40 percent of private wells have some sort of pre-existing water quality problems. **Marcellus Well Inventory:** In response to a question about a newspaper report that 495 Marcellus wells were not in the DEP database, Secretary Krancer said DEP is working on its data management system which is always an issue.

## **New Ad Campaign Drums Up Support for Obama's Clean Air Standards**

**STATEIMPACT** Environmental groups have bought air time in Philadelphia, Pittsburgh, Harrisburg, Wilkes-Barre, and cities across the country aimed at garnering support for reduced carbon emissions from power plants. The ads begin airing Wednesday, ahead of the expected EPA proposal to cut pollution from new plants. The ads showing children with breathing aides were created by the Natural Resources Defense Council and the Sierra Club. "Carbon pollution poses serious threats to Americans' health, our economy and the future of our children," said Michael Brune, executive director of the Sierra Club. "But there are currently no federal limits on the amount of carbon being spewed into the air by the nation's largest sources of carbon pollution – dirty coal-fired power plants."

## **\*\*\* MORNING HOT LIST \*\*\***

## **DEP leader testifies at tense House budget hearing**

**PITTSBURGH POST GAZETTE** HARRISBURG -- There was no warm welcome for the state's top environmental official on Tuesday when he walked into his agency's budget hearing with House lawmakers. The give-and-take was often combative during the nearly three hours that Department of Environmental Protection Secretary Michael Krancer fielded questions, defending the \$10 million cut that the governor has proposed for his department as part of an effort to be more effective across state government. He dismissed questions about the agency's ability to regulate gas drilling effectively amid those continued reductions, which have taken the agency's general operating budget share down to \$127 million, compared to \$217 million in 2008. Mr. Krancer pointed to the revenues from permit fees, as well as changes that make the department "more businesslike," as helping staffers to do more work with fewer state dollars. He added that in the past year, well site inspections have been standardized across the state's regions and the number of oil and gas inspections doubled. House Democrats on the panel sharply disagreed with some of his responses, repeatedly asking him about the strain on personnel. The secretary bristled at an assertion from state Rep. Greg Vitali, a Democrat from Delaware County, that morale is low

at the DEP, that previous cuts resulted in furloughs and that his staffers say they need more resources. Mr. Krancer retorted that the lawmaker was using anonymous sources to make his claim, which he called "a dissertation, not a question." The two men interrupted each other several times before Mr. Krancer continued, tersely responding that the cut-related furloughs were enacted before the Corbett administration took over in 2011. "The furloughs you're looking at are from 2006 to 2010, so perhaps you would like to bring [former DEP secretaries John Hanger and Kathleen McGinty] back here and ask them about that," he said. His agency will see more funding through the new shale drilling law, which will reserve about \$6 million from this year's impact fee collections for the DEP. Mr. Krancer said afterward that he expects those dollars will go toward oil and gas drilling oversight, but he was unable to say specifically how those dollars would be used.

## **Judges hear Tinicum Township appeal on Philadelphia airport expansion**

**PHILADELPHIA INQUIRER** Three federal judges hearing an appeal Tuesday of a planned Philadelphia International Airport expansion grilled lawyers for Tinicum Township, the city of Philadelphia, and the U.S. Department of Transportation. Tinicum, which adjoins the airport and would lose 72 homes to the expansion, wants the \$6.4 billion project halted because of what it says was inadequate environmental analysis by the Federal Aviation Administration. Tinicum's attorney, Barbara Lichman, argued that the U.S. Environmental Protection Agency had found flaws with the FAA's environmental analysis that should override the FAA approval. Judge Kent Jordan, one of three judges from the U.S. Court of Appeals for the Third Circuit hearing arguments, wondered why the court should defer to the EPA, especially since the EPA did not take its disagreement with FAA to a government council designated to settle such interagency disputes. "If EPA chooses not to go there . . . that should mean nothing to us?" Jordan said. The judges also questioned why the FAA declined to heed the EPA's repeated suggestions for additional study. Judge Thomas Ambro said the EPA had "presented its concerns on more than one occasion," and he asked if it wouldn't have been easy for the FAA to do additional testing. Lane McFadden, a Justice Department attorney representing the Department of Transportation and the FAA, said such additional testing would have been costly and time consuming without necessarily improving the analysis. The expansion, to be completed in phases through 2025, calls for lengthening two of the airport's four existing runways and building a fifth runway along the Delaware River where United Parcel Service Inc. operates. In addition to the objections from Tinicum and Delaware County, the expansion is opposed by the airport's dominant airline, US Airways Group Inc. The airline says the expansion will cost too much and do little to reduce air-traffic congestion. The judges gave no indication of when they might issue a ruling in the case.

## **Dendron reaffirms approval of \$5B coal-fired plant**

**NORFOLK VIRGINIAN-PILOT** DENDRON --They moved the meeting to the garage of the volunteer fire station, and crowds parked in frost-covered fields before engaging Monday night in another battle over one of the biggest projects to surface in Western Tidewater: a proposed \$5 billion power plant. Two years ago, the Dendron Town Council voted in favor of what would be the largest coal-fired power station in Virginia, about 60 miles west of downtown Norfolk, but a Surry County judge ruled the vote illegal and negated the result. So opponents - environmentalists, students, scientists, would-be neighbors, concerned parents - geared up for another chance Monday to sway the council, whose six members and mayor have all endorsed the project as an opportunity to create hundreds of jobs, expand the local tax base, pay for public improvements and spark a slack economy. Critics argued that the plant would rain tons of pollutants such as mercury and arsenic on children, streams and the Chesapeake Bay and represents a dirty, dinosaur technology amid cleaner alternatives in a changing world. They urged the council to conduct an independent study, to delay action, and some challenged members directly and personally. "You are your brother's keeper, and I see blood on your hands," Helen Eggleston, a Dendron resident, told the council. Nearly 60 speakers stepped to the podium, with opponents outnumbering plant supporters, who also got overheated at times. Joe Hancock, who lives in nearby Wakefield, spoke near the end of the three-hour marathon and said the safety and environmental concerns raised by those who traveled from Norfolk, Virginia Beach, Williamsburg and elsewhere were "pure hogwash."

## **Obama's budget would slash beach monitoring \$\$**

**NEWPORT NEWS DAILY PRESS** Every year, starting in the spring and lasting until autumn, signs are posted at beaches in Hampton Roads. The signs warn people that elevated levels of bacteria — often flushed into the water from farms, forests and wastewater treatment plants — have made it dangerous to swim. The warnings, which help prevent stomach ailments, could become less common. President Barack Obama's 2013 proposed budget would cut about \$10 million nationwide for beach water quality testing. Virginia would lose \$273,000 annually that is used to monitor the Potomac River down to Virginia Beach. The cut would likely reduce the state's program, though officials aren't sure by how much. "Our ability to perform monitoring and notification at many of our beach sites would be impacted," said Rebecca LePrell, director for environmental epidemiology with the Virginia Department of Health. Last year, officials issued 36 warnings throughout Virginia, including several at Peninsula hot spots such as Hilton, Buckroe and Huntington beaches, according to the health department's website. About 3.5 million people get sick enough each year from bacteria at beaches to throw up or have diarrhea, according to the U.S. Environmental Protection Agency.

## **Farmland preservation dollars in limbo**

**DELAWARE CAPE GAZETTE** This time last year, farmland preservation looked to be getting no state funding; it ended up with \$10 million, some of which was used to start the Young Farmers Program, which helps young farmers purchase farmland. In the proposed Fiscal Year 2013 budget, farmland preservation is slated to receive \$2 million. During a Feb. 28 meeting in Dover, the bond bill committee discussed increasing that number. In the end, the committee agreed to revisit funding. Such is budget time, said Robin West of the Delaware Department of Agriculture. "The way I look at it, at this time last year we had zero; this year we have \$2 million," said West. "That's an improvement." Deputy Secretary of Agriculture Austin Short said, "The governor's proposal is \$2 million for the Aglands Preservation Program - \$1.5 for the traditional Aglands Preservation Program and \$500,000 for Young Farmers." West said, "We will have some money. We just never know how much." Federal money is available for farmland preservation, but it depends on state dollars coming in as well. "It's a three-to-one ratio, meaning every dollar we put up, we get three times from the federal government," West said. "Usually when legislators know we have money sitting there, they come through with funding." However, she said, if funding from the state dries up, the federal dollars will be given to another state. "Once we don't make the window, the federal officials move on," said West. "We've been very successful at getting federal funding. Maybe it's because we are a small state, but we have ironed out our process so we can get properties preserved through the program quickly." When the program first started in the early 2000s, six farms were given funds for farmland preservation. This past preservation cycle, 35 farms were preserved.

## **Editorial: Do recycling programs make economic sense**

**CHARLESTON DAILY MAIL** The Kanawha County Solid Waste says on its website that recycling one six-pack of aluminum cans saves enough energy to run a television set for 18 hours, and that recycling just half the plastic water bottles used in the county would save more than 75,000 barrels of foreign oil each year. It's such an attractive idea. But collecting and handling tons of discarded material from Charleston, South Charleston, Dunbar and St. Albans takes substantial amounts of energy, which is an issue in the latest challenge facing the authority. It has been using a 100-year-old building that engineers say is unsafe and can no longer be used. This leaves local officials discussing alternatives. Two surfaced Monday at a Charleston City Council meeting. The authority could haul it all to Raleigh County. Or the city, which is required by the state to recycle, could haul its stuff to a for-profit business in Nitro and perhaps recoup at least some of its costs. But, said Charleston Mayor Danny Jones: "Taking it to Nitro isn't a long-term solution because that's too far to haul it." Legislators need to study whether the state's current approach is working. With gasoline heading for \$4 a gallon, expensively handling materials for which there is no market doesn't seem like the brightest idea.

## **Gas drilling study fee debated**

**BALTIMORE SUN** A study of how or whether to allow a controversial drilling method for extracting natural gas in Western Maryland cannot be finished without funding, state officials told lawmakers Tuesday. O'Malley administration officials joined environmentalists in supporting a bill that would pay for their year-old study of hydraulic fracturing by levying a fee on the estimated 150,000 acres leased for gas exploration in Garrett and Allegany counties. Business and oil industry representatives opposed the fee, arguing that it could dampen prospects for drilling to boost the economically depressed region. The bill, heard by the Senate Education, Health and Environmental Affairs Committee, would raise about \$3 million over the next two years by charging gas companies \$10 per acre on leased land. Officials said they need perhaps \$2 million to finish their study of potential problems and safeguards. Hydraulic fracturing, commonly known as "fracking," involves extracting natural gas by pumping large quantities of water mixed with sand and chemicals to fracture or break up fuel-containing shale layers deep underground.

## **Lawmakers gird for renewed debate on lead poisoning**

**BALTIMORE SUN** Landlords seek help with lawsuits; advocates want more homes regulated. With efforts to reduce lead poisoning among children at a crossroads, Maryland lawmakers are wrestling with proposals to expand state regulation of home sales, rentals and repairs to reduce youngsters' exposure to the toxic metal. But the biggest question facing legislators might be how — or whether — to help landlords facing a flurry of lead-paint poisoning lawsuits from former tenants. The number of young children reported poisoned by lead in Maryland has dropped 98 percent since the mid-1990s. Still, more than 500 youngsters statewide turned up with harmful levels in their blood in 2010, risking lifelong learning, behavior and other health problems. Eight bills have been introduced in the General Assembly dealing with the contentious issue, which pits owners of rental housing against children's health advocates because most older homes contain lead-based paint. A house committee will hear six of the measures Wednesday.

## **House Panel Questions Need for EPA Studies on Hydraulic Fracturing**

**BNA DAILY ENVIRONMENT REPORT** Republican members of a House subcommittee criticize EPA's budget request for studies of hydraulic fracturing. At a time when everyone is being asked to make sacrifices, EPA is expanding its efforts in the area even in the absence of a congressional mandate, Rep. Harris, chairman of the Science, Space, and Technology Subcommittee on Energy and Environment, says during a hearing. Lek Kadeli, acting EPA assistant administrator for research and development, says of the research, "[I]t's important to get this right."

## **EPA Sued Over Air Toxics Standards for Lead Smelting Facilities**

**BNA DAILY ENVIRONMENT REPORT** Both industry and environmental groups are suing EPA over revised air toxics standards for secondary lead smelting facilities, which are expected to help bring some areas into compliance with the air quality standard for lead. The Association of Battery Recyclers Inc., Johnson Controls Battery Group Inc., Doe Run Resources Corp., and the Sierra Club file separate petitions for review in the U.S. Court of Appeals for the District of Columbia Circuit.

## **Diesel fuel spill in Greene County spurs state investigation**

**PITTSBURGH TRIBUNE REVIEW** The state is investigating a Pittsburgh-based Marcellus shale-drilling company's diesel fuel spill that flowed from a Greene County well into Patterson Run unbeknownst to local officials. Downtown-based EQT Corp., the parent company of Equitable Gas Co., spilled 480 gallons of diesel in

Center Township in December, according to John Poister, a spokesman for the state Department of Environmental Protection. The spill occurred when diesel fuel was being transferred out of a temporary fuel tank, he said. The spill is coming to light nearly three months later because, Poister said, the DEP is not required to notify local municipalities or alert the public. The entity responsible for the spill in such cases is required to notify the DEP, which EQT did, Poister said. "Apparently, a worker was emptying fuel from this tank into a smaller tank at night and didn't realize it was leaking," said Poister. However, officials in Center and Morris, where Patterson Run is located, said they should have been notified by either the DEP or company. "Absolutely ... the township and the fire department should have been notified of that in case it was a problem," said Edward "Butch" Deter, chairman of the township's board of supervisors, who is also president of the Center Township Volunteer Fire Department, Co. 91. The DEP began its investigation Dec. 8, the day of the spill, and has issued the company a notice of violation. A fine likely will follow, Poister said. Most of the spill was cleaned within 24 hours using soil excavation, liquid vacuuming and absorbent pads, EQT spokeswoman Karla Olsen said. The company also notified the National Response Center, which is the federal point of contact for reporting oil and other chemical spills, and local landowners, Olsen said.

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## PENNSYLVANIA

### ***PHILADELPHIA INQUIRER***

**From Early Bird** Judges hear Tinicum Township appeal on Philadelphia airport expansion Three federal judges hearing an appeal Tuesday of a planned Philadelphia International Airport expansion grilled lawyers for Tinicum Township, the city of Philadelphia, and the U.S. Department of Transportation. Tinicum, which adjoins the airport and would lose 72 homes to the expansion, wants the \$6.4 billion project halted because of what it says was inadequate environmental analysis by the Federal Aviation Administration. Tinicum's attorney, Barbara Lichman, argued that the U.S. Environmental Protection Agency had found flaws with the FAA's environmental analysis that should override the FAA approval. Judge Kent Jordan, one of three judges from the U.S. Court of Appeals for the Third Circuit hearing arguments, wondered why the court should defer to the EPA, especially since the EPA did not take its disagreement with FAA to a government council designated to settle such interagency disputes. "If EPA chooses not to go there . . . that should mean nothing to us?" Jordan said. The judges also questioned why the FAA declined to heed the EPA's repeated suggestions for additional study. Judge Thomas Ambro said the EPA had "presented its concerns on more than one occasion," and he asked if it wouldn't have been easy for the FAA to do additional testing. Lane McFadden, a Justice Department attorney representing the Department of Transportation and the FAA, said such additional testing would have been costly and time consuming without necessarily improving the analysis. The expansion, to be completed in phases through 2025, calls for lengthening two of the airport's four existing runways and building a fifth runway along the Delaware River where United Parcel Service Inc. operates. In addition to the objections from Tinicum and Delaware County, the expansion is opposed by the airport's dominant airline, US Airways Group Inc. The airline says the expansion will cost too much and do little to reduce air-traffic congestion. The judges gave no indication of when they might issue a ruling in the case.

**From Early Bird** A former DEP director takes over at PennFuture George Jugovic Jr., the former southwest regional director of the Pennsylvania Department of Environmental Protection, has taken over as president and CEO of the environmental watchdog group PennFuture, the organization announced Monday. He replaces Jan Jarrett, who resigned after 13 years as PennFuture's head. After leaving the DEP, Jugovic was a senior attorney and law-staff chair at PennFuture, working as a citizen advocate on energy and environmental-enforcement matters. He graduated from Pennsylvania State University with a bachelor of science degree in environmental resource management and received a law degree from Lewis and Clark Law School in Portland, Ore. He lives in Sarver, Butler County.

**From Early Bird** Marcellus business directory unveiled The Marcellus Shale Coalition on Tuesday unveiled an

online business directory of small and medium-size firms that want to be part of the shale gas economy. The aim of the Marcellus on Main Street site is to facilitate connections among businesses in the supply chain, Kathryn Klaber, the coalition's president, told a gathering Tuesday at the Greater Philadelphia Chamber of Commerce, one of five events announcing the site. She said the outreach is also intended to counter "unfair" negative portrayals of natural gas development. The site - [www.marcellusonmainstreet.com](http://www.marcellusonmainstreet.com) - will charge \$25 for companies to register to promote their business.

### **PITTSBURGH POST-GAZETTE**

**From Early Bird** DEP leader testifies at tense House budget hearing HARRISBURG -- There was no warm welcome for the state's top environmental official on Tuesday when he walked into his agency's budget hearing with House lawmakers. The give-and-take was often combative during the nearly three hours that Department of Environmental Protection Secretary Michael Krancer fielded questions, defending the \$10 million cut that the governor has proposed for his department as part of an effort to be more effective across state government. He dismissed questions about the agency's ability to regulate gas drilling effectively amid those continued reductions, which have taken the agency's general operating budget share down to \$127 million, compared to \$217 million in 2008. Mr. Krancer pointed to the revenues from permit fees, as well as changes that make the department "more businesslike," as helping staffers to do more work with fewer state dollars. He added that in the past year, well site inspections have been standardized across the state's regions and the number of oil and gas inspections doubled. House Democrats on the panel sharply disagreed with some of his responses, repeatedly asking him about the strain on personnel. The secretary bristled at an assertion from state Rep. Greg Vitali, a Democrat from Delaware County, that morale is low at the DEP, that previous cuts resulted in furloughs and that his staffers say they need more resources. Mr. Krancer retorted that the lawmaker was using anonymous sources to make his claim, which he called "a dissertation, not a question." The two men interrupted each other several times before Mr. Krancer continued, tersely responding that the cut-related furloughs were enacted before the Corbett administration took over in 2011. "The furloughs you're looking at are from 2006 to 2010, so perhaps you would like to bring [former DEP secretaries John Hanger and Kathleen McGinty] back here and ask them about that," he said. His agency will see more funding through the new shale drilling law, which will reserve about \$6 million from this year's impact fee collections for the DEP. Mr. Krancer said afterward that he expects those dollars will go toward oil and gas drilling oversight, but he was unable to say specifically how those dollars would be used.

**From Early Bird** 'Cracker' plants hold promise of more jobs Falling natural gas prices and campaigns from Pennsylvania lawmakers have revved up the next step of the Marcellus Shale drilling boom: the petrochemical chapter, a development phase that could promise the kind of construction and job creation not seen in the region since steel's heyday. Numerous energy firms and chemical companies are eyeing the tri-state region for locations to build plants that can take gas and other compounds extracted from the ground and process them for use in everyday products such as clothing or carpeting. Western Pennsylvania's ready supply of high-value natural gas liquids has hastened the development. It's even started an interstate battle, with legislators courting multinational companies such as Royal Dutch Shell with come-hither tax incentives.

**From Early Bird** MSHA admits errors, not fault in explosion WASHINGTON -- Federal mine inspectors fell short of their duties but their failures didn't cause the massive explosion that killed 29 miners in West Virginia two years ago, according to an internal review by the Mine Safety and Health Administration. The inspectors failed to evaluate some parts of Upper Big Branch Mine, including areas affected by the explosion, according to the 308-page report that was issued Tuesday by MSHA. The report's authors, though, stopped short of blaming inspectors for the deadly April 2010 blast in Montcoal, W.Va. Rather, they blamed mine operator Massey Energy for falsifying records and concealing problems that would have prompted inspectors to take action. "The internal review team is confident that District 4 inspectors would have cited these violations if they had observed them," said George Fesak, a 40-year agency employee who led the internal investigation. Still, investigators found that inspectors failed to enforce penalties for Massey Energy's most flagrant violations, didn't identify dangerous accumulations of combustible coal dust, fell short of recommending proper ventilation, failed to address roof



deficiencies, neglected to check the calibration of gas detectors and didn't effectively review the mine's record books.

**From Early Bird** Former state administrator heads environmental group A former state environmental department administrator, is the new leader of the statewide environmental organization Citizens for Pennsylvania's Future, taking over from Jan Jarrett who held the post for 13 years. George Jugovic Jr., of Sarver, Butler County, has been working as PennFuture's senior attorney and law staff chair, and Monday was named president and chief executive officer by the organization's board. He previously was the southwest regional director for the state's Department of Environmental Protection. The board and Mr. Jugovic said the change was made because the organization anticipates increased emphasis on legal activity and litigation.

**From Early Bird** Editorial: Pressure situation: Action on transportation is needed all around Gov. Tom Corbett is right to pressure the Port Authority for a cost-cutting contract to take effect July 1. The governor's aim was spelled out last week by a spokesman who said Mr. Corbett would not "fork over" additional state funding to help the transit system close a \$64 million deficit and avoid crippling service cuts until he sees "what sort of cost savings are accomplished" in the talks. County transit riders, who for years have been stung by state cutbacks, higher fares and reduced service, want to see the savings, too, because if the system doesn't work for them, then the region's economy and quality of life become the victims. That said, the governor must also recognize the vital role that the state must play in keeping transit service strong for Pennsylvania businesses and workers. While he is eager to see progress on budgeting for transit by Port Authority negotiators, Mr. Corbett has been delinquent in budgeting for Pennsylvania's overall transportation needs.

### **PITTSBURGH TRIBUNE REVIEW**

**From Early Bird** Diesel fuel spill in Greene County spurs state investigation The state is investigating a Pittsburgh-based Marcellus shale-drilling company's diesel fuel spill that flowed from a Greene County well into Patterson Run unbeknownst to local officials. Downtown-based EQT Corp., the parent company of Equitable Gas Co., spilled 480 gallons of diesel in Center Township in December, according to John Poister, a spokesman for the state Department of Environmental Protection. The spill occurred when diesel fuel was being transferred out of a temporary fuel tank, he said. The spill is coming to light nearly three months later because, Poister said, the DEP is not required to notify local municipalities or alert the public. The entity responsible for the spill in such cases is required to notify the DEP, which EQT did, Poister said. "Apparently, a worker was emptying fuel from this tank into a smaller tank at night and didn't realize it was leaking," said Poister. However, officials in Center and Morris, where Patterson Run is located, said they should have been notified by either the DEP or company. "Absolutely ... the township and the fire department should have been notified of that in case it was a problem," said Edward "Butch" Deter, chairman of the township's board of supervisors, who is also president of the Center Township Volunteer Fire Department, Co. 91. The DEP began its investigation Dec. 8, the day of the spill, and has issued the company a notice of violation. A fine likely will follow, Poister said. Most of the spill was cleaned within 24 hours using soil excavation, liquid vacuuming and absorbent pads, EQT spokeswoman Karla Olsen said. The company also notified the National Response Center, which is the federal point of contact for reporting oil and other chemical spills, and local landowners, Olsen said.

**From Early Bird** Westmoreland County expected to OK drilling fee Westmoreland County commissioners are poised to approve an ordinance to implement impact fees for Marcellus shale wells, which officials said will infuse more than \$4 million into the county. Republican commissioners Charles Anderson and Tyler Courtney, along with Democrat Commissioner Ted Kopas, have signaled they will approve the fees when the board meets at 10 a.m. Thursday at the courthouse in Greensburg. Legislation approved earlier this year gives county leaders authority to assess the fees, which this year is expected to be \$50,000 per well. "This puts us on record as being on file so we get the money," Anderson said on Tuesday. Commissioners in Butler and Washington counties already have approved implementing the impact fees. According to statistics from the state Department of Environmental Protection, since the beginning of 2009 there have been 162 Marcellus shale gas wells drilled in Westmoreland

County. County Planning Director Jason Rigone said Westmoreland accounts for 4 percent of all of the Marcellus shale wells in Pennsylvania. As a result, it is estimated that the county government would receive about \$2 million this year as its share of the revenue generated by the impact fees. The county's municipalities that have wells within their borders would split a pool of an additional \$1.4 million, while other nearby municipalities affected by the wells would receive a share of another \$1 million, Rigone said. A detailed breakdown on how that additional money would be distributed was not immediately available.

### ***JOHNSTOWN TRIBUNE DEMOCRAT***

**From Early Bird** New online directory links drilling industry, local suppliers JOHNSTOWN — A statewide initiative linking small to midsized businesses with the growing Marcellus Shale industry was launched Tuesday in cities across Pennsylvania. With Johnstown Area Regional Industries serving as host, representatives from businesses and industries throughout the region gathered at the Holiday Inn Downtown, one of five sites for the simultaneous unveiling. Marcellus on Main Street, an initiative of the Marcellus Shale Coalition, is designed to put regional businesses seeking to become part of the supply chain in touch with natural gas drillers looking for everything from worker accommodations to tank manufacturers to hauling services. "We want to help create the success stories," said Dave Brocious, director of membership and training for the coalition. "We want to get the message out that this is a positive economic impact for the area." The interactive Web-based portal — [www.MarcellusOnMainStreet.org](http://www.MarcellusOnMainStreet.org) — will fill the gap between those in need of the services and locals eager to be part of the boom, officials said. "Just the supply-chain opportunities that have been presented are exciting times across Pennsylvania and Ohio," JARI President Linda Thomson said. As Brocious was unveiling the first online business directory designed to connect the natural gas industry to Main Street, Kathryn Klaber, coalition executive director and president, was doing the same in Philadelphia while others were making presentations in Williamsport, Washington and Cranberry Township, near Pittsburgh.

### ***ALLENTOWN MORNING CALL***

**From Early Bird** Natural gas line would cut through central Pa. A proposed \$1 billion pipeline that would ship natural gas from Marcellus Shale fields to eastern Pennsylvania and the Mid-Atlantic region will not run through the Lehigh Valley. The pipeline, which is planned to link to natural gas lines in Lycoming County, will travel largely south through the Harrisburg region and toward the nation's capital, said Bradley Hall, president of UGI Energy Services. UGI Energy Services last week said it formed a partnership with Inergy Midstream L.P. and Capitol Energy Ventures Corp. to market and develop a new interstate pipeline known as the Commonwealth Pipeline. If approved as planned, the proposed 200-mile, 30-inch pipeline is expected to transport at least 7.8 million cubic feet of natural gas per day when it is put in service in 2015. Hall said the pipeline is being planned as a matter of simple economics. "The cost is a lot lower to travel a 100-mile route than a 1,500-mile route," he said. Gas production in the northern tier of Pennsylvania, which Hall said has been a strong producer of gas, has been limited by the lack of capacity in interstate pipelines, most of which serve markets in New Jersey and New York. Most of the refined natural gas that gets into the Lehigh Valley comes from the southwestern United States, Hall said.

**From Early Bird** Gas drilling symposium at NCC to challenge 'bill of goods' Bad things happen in threes, or that's the way it must have felt this past week for the gas-drilling people and their devoted sycophants in Harrisburg. First, the March 1 edition of Rolling Stone, a liberal magazine with a circulation of 1.5 million, had a huge story under the headline, "The scam behind the gas boom." It focused on Pennsylvania and on Chesapeake Energy, one of the Harrisburg crowd's favorite industries, reporting that Chesapeake and other drilling companies in the state "resemble a Ponzi scheme" with financing through junk bonds. "Fracking," the story said of hydraulic fracturing, an intensely polluting process used in gas drilling, "is about producing cheap energy the same way the mortgage crisis was about helping realize the dreams of middle-class homeowners." On Sunday, The Associated Press, a rather less liberal news organization, had a story on the latest clash over gas drilling between the administration of Gov. Tom Corbett and the U.S. Environmental Protection Agency. "The state says EPA is meddling. EPA says it is doing its job," the AP said of new efforts by the feds to check the drinking water in

northeastern and southwestern Pennsylvania to see how badly it has been contaminated by fracking, which forces water laden with toxic chemicals into the ground to break up rocks containing gas reserves. "There's no question that EPA is overstepping," said Katherine Gresh, spokeswoman for Michael Krancer, Corbett's top environmental regulator — if that's the right term in an administration that believes in little or no regulation when it comes to an industry that gave the governor huge "political campaign contributions." The AP, however, said EPA meddlers found "alarming levels of manganese and cancer-causing arsenic" in water near the gas wells.

### **SCRANTON TIMES-TRIBUNE**

**From Early Bird** Susquehanna County leaders voice impact fee support Before deciding on whether to impose the state's impact fee, the Susquehanna County commissioners on Tuesday wanted some other opinions. More than 100 people attended the special meeting in Montrose to get information about Act 13, the Unconventional Gas Well Impact Fee Act. The law imposes a \$50,000 fee on each natural gas well drilled in Pennsylvania's Marcellus Shale but requires county level approval - or majority municipal approval - for municipalities to collect its part of the tax monies. The money will be divided with 60 percent going to local governments covered under an impact fee ordinance and 40 percent for statewide uses, including Growing Greener, acid mine cleanup, affordable housing needs and rail freight assistance. Of the 60 percent, counties with wells will receive 36 percent; municipalities with wells receive 37 percent and municipalities without wells get 27 percent of the revenue. Commissioner Alan Hall said, "We're either in and get it or out and not get it." "I don't think it's a great bill, but there are provisions to get money into the county and municipalities," Mr. Hall said. The fee will be collected at the state level by the Public Utility Commission. Mr. Hall asked for a show of hands at the meeting of those attending who were opposed to the impact fee. Lathrop Twp. Supervisor Paul Himka was one of about three people who expressed concern with the law. Mr. Himka said he was hesitant based on language in the law that pertained to county and municipal responsibility for surface and subsurface water supplies. "With that one item alone the potential burden could outweigh any benefit," Mr. Himka said. Roads were of top concern for many of the township supervisors attending the meeting. Commissioner Michael Giangrieco said he had spoken with a number of supervisors and gas companies about the issue. "It's a misconception that if there is an impact fee (the gas companies) won't fix the roads," Mr. Giangrieco said. "They can't do that." With the majority of municipal leaders attending the meeting in favor of the measure, Mr. Giangrieco said the next step would be for the commissioners to vote to advertise the ordinance at the March 14 meeting.

### **WILLIAMSPORT SUN-GAZETTE**

**From Early Bird** New program connects small businesses with gas industry The Marcellus Shale Coalition on Tuesday launched the first online business directory designed to connect the natural gas industry with small- and medium-sized regional companies. Marcellus on Main Street provides a list of various business types for workers who might not be familiar with the area, as a way to promote the smaller local businesses. "Small local businesses will be able to reach out to oil and gas companies," Eric Cowden, community outreach manager, said. "That's our intent. It's going to work." Beth Powell, managing director for New Pig, said the directory is something her company could use because it often looks for necessary businesses when visiting various locations. "We spend a lot of time looking for food," Powell said. Her team also sometimes needs clothes replaced and does not know where to get them fixed. "I wish this was opened a year ago," she said. About 300 companies were pre-enrolled for the launch by being members of the Marcellus Shale Coalition, Cowden said. Members can view company pages of more than just industry, food and clothes businesses. The list potentially could include hotels, dry cleaners, barbers, printers and car rentals, he said. "It's a variety of businesses," Cowden said. The entrepreneurs and small businesses are not limited to energy and services companies, contractors and suppliers in Pennsylvania. New York, West Virginia, Maryland and Ohio can sign up for the annual membership. By including other states, Cowden said companies can map out all of their the needs along the way on a trip across the "Marcellus Shale footprint."

### **ERIE TIMES-NEWS**

**From Early Bird** Analysis: Visitors to Presque Isle, other state parks contribute \$1B to Pa. economy More than 4 million people came to Presque Isle State Park to swim, boat, bike, hike, ski, picnic and otherwise play on the

peninsula in 2010. "Presque Isle is one of the drivers within the tourism trade here," park Operations Manager Harry Leslie said. What sometimes gets overlooked is that those same visitors, whether from Pennsylvania or out of state, also spent money here, helping the economy and supporting jobs. An update released Tuesday by the state Department of Conservation and Natural Resources shows that 37.9 million visitors to Presque Isle and other Pennsylvania state parks spent more than \$859 million on their trips in 2010. The overall contribution to the Pennsylvania economy was more than \$1 billion in sales and more than 12,600 related jobs. Erie County's Presque Isle and Crawford County's Pymatuning State Park both fell into the "high" spending category. Pymatuning had the highest estimated visitor spending, at nearly \$84 million, followed by Presque Isle with nearly \$77 million, the report showed. Each park contributed to more than 1,000 jobs. Information for Erie Bluffs State Park, also in Erie County, and several other parks wasn't included in the 21-page report. Leslie said Erie Bluffs is still considered a "developing park."

**From Early Bird** Water, sewer extensions to Pleasant Ridge Manor could cost Erie County \$1.4M Erie County Council talked water and sewer extensions -- and cost -- on Tuesday in regards to plans for a new Pleasant Ridge Manor. WHAT HAPPENED: County Council was told by Mark Corey, an engineer who works with the Fairview Township Sewer and Water Authorities, that it would likely cost the county about \$400,000 to extend municipal water service to the 312-bed Pleasant Ridge Manor-West, 8300 West Ridge Road in Fairview Township. It would cost about \$1 million to extend municipal sewer service to the nursing home, Corey said at a Tuesday meeting with County Council members.

### **LANCASTER NEWSPAPERS**

**From Early Bird** Landfill deal panned in Caernarvon Township Caernarvon Township residents who live near where the Lanchester Landfill is next expanding say the township negotiated a comparatively bad deal for their having to put up with the dump. Under the latest host agreement, residents say, they're getting half the money that other residents received in the last expansion. "I got \$9,000. I should have got \$18,000," said Lennie Martin, who called it a matter of fairness, during Monday's township supervisors' meeting. However, supervisors said the township's hands are tied when it comes to negotiating with the Chester County Solid Waste Authority. The authority owns the 600-acre property, which straddles Chester and Lancaster counties and is used primarily by Chester County. Most of it is in Caernarvon Township. "We have no negotiating power with the landfill. ... It is controlled by the (Department of Environmental Protection.) That's what everybody fails to realize," Supervisor Doug Maitland told about 60 residents — many of them upset with the agreement.

### **ASSOCIATED PRESS (Pa.)**

**From Early Bird** Lawsuit targets Pa.'s use of forest drilling money HARRISBURG, Pa. (AP) — An environmental advocacy group is suing Gov. Tom Corbett to get Pennsylvania state government to stop using money from drilling in publicly owned forests for anything besides improving the forests. The Pennsylvania Environmental Defense Fund lawsuit filed Tuesday in Commonwealth Court also singles out decisions made under Corbett's predecessor, Ed Rendell. The suit says both administrations used money from Marcellus Shale drilling leases and royalties on state forests for general expenditures, in violation of a constitutional provision to conserve and maintain public resources. The suit also cites a sweeping new natural gas drilling law that would divert tens of millions of dollars a year from the fund for two environmental cleanup programs. A spokesman for Corbett said he hadn't seen the lawsuit and couldn't immediately comment.

**DEP probes driller's diesel spill near Pa. creek**

ROGERSVILLE, Pa. — The state Department of Environmental Protection is investigating a diesel spill into a pristine southwestern Pennsylvania creek and expects to fine the Marcellus shale drilling firm it says is responsible. Officials at Pittsburgh-based EQT Corp. acknowledge that 480 gallons of fuel spilled when a worker was emptying fuel from one tank to another near Patterson Run in Center Township, Greene County. The spill occurred Dec. 8 but the Pittsburgh Tribune-Review ( <http://bit.ly/xjQnLV>) reports it is only now coming to light because the DEP was not required to alert the public. EQT was required to alert the DEP, which it did. EQT spokeswoman Karla Olsen

says most of the fuel was cleaned by digging up the contaminated soil, vacuuming and using absorbent pads. The DEP is reviewing water samples which EQT says showed no fuel in surface waters downstream.

### ***LEHIGH VALLEY NEWS***

Whitehall-Coplay elementary schools to get energy-efficient systems; work to begin this month

Work on the installation of geothermal heating and cooling systems at Gockley and Steckel elementary schools is slated to begin this month.

The Whitehall-Coplay School Board in February approved borrowing \$4.45 million to pay for part of the \$6.8 million project, which is expected to produce about \$92,500 in annual energy savings, district Director of Operations Gary Behr said. Money left over from earlier construction and renovation projects will be used to cover what the new bond does not, district Business Manager Robert Strauss said. The district hired Johnson Controls to do the work under a performance contract, Behr said. The system should be in place before classes resume this fall, he said.

### ***CENTRE DAILY TIMES***

Letter: Wind power a lot of hot air Conservationists should urge state legislators to oppose Sen. John Wozniak's Senate Bill 1425, which would lease portions of Gallitzin State Forest for industrial windplant development. The environmental benefits of wind energy development in the mid-Atlantic area in general and on Pennsylvania state lands in particular are small relative to the negative consequences, which include mortality to birds and bats and severe fragmentation of habitats by the construction of roads and transmission lines associated with strings of industrial-scale wind turbines. Such habitat fragmentation results in reduced habitat area, habitat isolation and loss of species from an area, disruption of dispersal, increased edge effects and loss of core habitat and the facilitation of invasive species. With wind energy development expanding on private land in Pennsylvania, state-owned land will become even more critical for birds, bats and other species that utilize these habitats.

### ***STATEIMPACT***

New Ad Campaign Drums Up Support for Obama's Clean Air Standards Environmental groups have bought air time in Philadelphia, Pittsburgh, Harrisburg, Wilkes-Barre, and cities across the country aimed at garnering support for reduced carbon emissions from power plants. The ads begin airing Wednesday, ahead of the expected EPA proposal to cut pollution from new plants. The ads showing children with breathing aides were created by the Natural Resources Defense Council and the Sierra Club. "Carbon pollution poses serious threats to Americans' health, our economy and the future of our children," said Michael Brune, executive director of the Sierra Club. "But there are currently no federal limits on the amount of carbon being spewed into the air by the nation's largest sources of carbon pollution – dirty coal-fired power plants."

Check Out StateImpact Pennsylvania's Updated Drilling App The interactive map, which tracks the state's producing Marcellus Shale wells, is based on the Department of Environmental Protection's most recent production report. When we first launched the page in December, it visualized the 1,608 wells that produced natural gas between January and June 2011. Now that DEP has released information for July-December, 2,200 wells appear on the page. Northeast Pennsylvania appears much more crowded, as Bradford County overtook Washington as the commonwealth's top drilling hot spot during the last six months of 2011. The county's producing well totals increased by 52 percent, to 366, while extracted gas jumped up by more than 34 percent. ((For more information on how Pennsylvania's drilling landscape changed between June and December 2011, [click here](#).)

### ***NORTHCENTRALPA.COM***

DEP Secretary: Budget Does Something Very Important- No Staff Layoffs Department of Environmental Protection Secretary Michael Krancer underwent nearly three hours of questions about his agency's 2012-13 proposed budget from members of the House Appropriations Committee today. Most of the questions were the same as those from the Senate budget hearing. Secretary Krancer said one of the most important accomplishments in this budget is that it funds the agency programs without any staff furloughs. In contrast, Gov.

Rendell's last budget resulted in taking DEP's budget back to 1994-95 levels and layoffs at DEP and DCNR. A copy of Secretary Krancer's formal budget statement is available online. Here are some highlights from the questions asked-- **Marcellus Shale Inspections:** Secretary Krancer said the agency has significantly increased the number of inspections of Marcellus Shale drill sites from about 16,000 in 2010 to 24,000 in 2011. Secretary Krancer also explained an internal team of DEP staff reviewed the agency's oil and gas enforcement policies, the violations issued and enforcement actions taken and announced recommended program changes aimed at achieving more consistency last November. DEP has already implemented a more detailed electronic inspection form and developed additional training for inspectors and water quality specialists. **Dimock Drilling Water Issues:** In response to a question about water issues in Dimock and drilling, Secretary Krancer said his processor did a good job on the issues there and the consent order signed in 2010. He said residents have been given options for treating their well water. He noted the Center for Rural Pennsylvania documented as many as 40 percent of private wells have some sort of pre-existing water quality problems. **Marcellus Well Inventory:** In response to a question about a newspaper report that 495 Marcellus wells were not in the DEP database, Secretary Krancer said DEP is working on its data management system which is always an issue.

Letter: Pocono Record Falls Off the Mountain David Pierce of the Pocono Record published an article this weekend focusing on an anti-natural gas meeting where attendees were discussing ways to impede natural gas development in the Commonwealth. The article was diffuse covering many areas and statements including the fact that "Renard Cohen entertained 30 attendees with his acoustic guitar version of "Fracking Shame". While it provided an interesting narrative of the deliberations of the anti community, the article failed to provide any perspective, context or insight from the vast majority of Pennsylvanians who support responsible development of the Marcellus Shale. Biased reporting seems to be an especially acute problem when dealing with Marcellus Shale development in Pennsylvania. Whether Mr. Pierce intended to further this problem is unknown, but the result speaks for themselves. Here is our analysis of the article for those readers interested in the facts as they exist to world outside of a handful of activists who spend every waking moment trying to curtail a process that is providing jobs to over 200,000 Pennsylvanians.

"Earth Day at Mill Cove" Planned for April 21 MANSFIELD, PA— "Earth Day at Mill Cove" will be held on Saturday, April 21, 9 a.m.-4 p.m. at the Mill Cove Environmental Area north of Mansfield. The event, co-sponsored by Mansfield University and Mill Cove, Inc. will feature a full day of activities and presentations suitable for all ages. While details are still being finalized, organizers plan to have demonstrations on fish sampling, muzzle loading, macro invertebrate (bug) collecting, archery, fly fishing and natural food growing. Activities are expected to include canoeing, kayaking, a fishing derby, bird watching and local flora hikes and a bb-gun competition. Plans also call for presentations on flora, wildlife and environmental protection.

### **PA FOX NEWS**

Concerns raised over proposed poultry barns in Big Spring watershed CARLISLE, CUMBERLAND COUNTY— Pennsylvania's Department of Environmental Protection held a hearing Tuesday night to hear public comments on a proposed plan to build two poultry barns in West Pennsboro Township, Cumberland County. The permit applicant, Lewis Martin, wants to build the chicken houses on his property in the Big Spring Creek watershed, a popular trout fishery and stream. Martin did not attend the hearing. DEP held the hearing at the Cumberland County Conservation District office on Allen Road in Carlisle. Neighbors, local officials and fishermen were among the attendees of the packed meeting. "The reason why we are here tonight is not about chickens. It's about water quality, more specifically water quality law," said Mike Danko, a member of Cumberland Valley Trout Unlimited. Many people raised concerns that the plans for the poultry barns were not adequate enough to prevent the production from polluting the stream.

### **PHILADELPHIA CENTER CITY WEEKLY PRESS**

### The Spring Garden Greenway

Barring brutal weather - Philadelphians flock to the trails that line the Delaware River at Penn's Landing and the Schuylkill River on Kelly Drive to walk, run or bike. And thanks to the efforts of the Pennsylvania Environmental Council (PEC), a 2.2-mile greenway trail will link the Schuylkill River to the Delaware via Spring Garden Street. Spencer Finch, an engineer for the PEC explained that when complete, the Spring Garden Greenway, will be, "the safest, greenest street in Philadelphia for cyclists, pedestrians and drivers." According to Finch, safety remains a top priority for the project. After all, "it calls for shorter crossings with better signals [for traffic lights] and timing. It will be considerably safer for people with disabilities as well as parents pushing strollers." Since the project is still in its conceptual phase, the PEC has two proposals for greening the street, Finch explained. The first includes greening the street along its edges. The second entails creating a median with trees and spots to sit. As one of the widest streets in Philadelphia, Spring Garden has the space to undertake this project, Finch noted. In addition, greening the street would allow it to absorb rainwater, which would reduce storm water run off, Finch added.

### **POLITICSPA**

Enviro Groups Launch Big TV Buy in Pa Two major environmental groups are seeking to change the conversation about regulations and clean air standards. In a 30 second spot, the Sierra Club and the Natural Resources Defense Fund make the case that the top issue is children's health. The ad will appear in Harrisburg, Philadelphia, Pittsburgh and Scranton/Wilkes-Barre media markets as part of a seven-figure national campaign (in 12 markets total in Ohio, Pa., Virginia and D.C.). "Updating air quality protections will allow the EPA to focus on the industries that create the lion's share of the nation's carbon pollution and will also help reduce life-threatening air pollutants like dirty soot, toxic mercury and the smog that triggers asthma attacks," said Michael Brune, executive director of the Sierra Club in a press release. "Doctors and nurses tell us we save lives and improve our children's health by reducing mercury, soot and industrial carbon pollution from power plants," said Frances Beinecke, president of the Natural Resources Defense Council. "Yet many in Congress have tried to block efforts to continue cleaning up the air we breathe. Clean air should be a birthright. Congress shouldn't take that away."

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## WASHINGTON, D.C.

### **WASHINGTON POST**

From Early Bird Blog : Romney's one big idea on climate-- and why he's unlikely to pursue it Politico's Darren Samuelsohn reports that some greens are donating to Mitt Romney in the hopes he'll go back to caring about climate change if elected. And Romney *does* have one big idea for cutting carbon emissions. But political science research suggests he's not likely to take it up. So what's the idea? As James Pethekoukis points out, Romney's book "No Apology" expresses some interest in a tax on carbon emissions, as long as it's revenue neutral — that is, offset by tax cuts elsewhere. Romney is too cautious to fully back a carbon fee, but it's an idea supported by one of his economic advisers, Greg Mankiw, as well as by a few prominent conservatives, like Arthur Laffer, who argues that we should be taxing things we want less of (pollution, say) rather than things we want more of (income and work). It's also an idea that's gaining favor among greens and think tanks as a deficit-reducing measure. As Rep. Henry Waxman explained in a recent interview with Ezra Klein, a price on carbon is one way to bring down the debt without slashing Medicare or defense spending too heavily. Last year, four of the six groups that sketched out deficit plans for the Peter G. Peterson Solutions Initiative ended up advocating a carbon tax — including, note, the conservative American Enterprise Institute. That said, for Romney to swivel around and support a carbon tax if he came into the the White House would be somewhat unprecedented. As political scientist Jonathan Bernstein has argued at length, presidents usually stick closely to the policies and positions they espoused on the campaign trail. And Romney on the stump hasn't sounded like the sort of politician ready to support a tax on fossil fuels — or fret much about global warming at all. Here he was just this past October: "My view is that we don't know what's causing climate change on this planet and the idea of spending trillions and trillions of dollars to try and reduce CO2 emissions is not the right course for us."

Turning trash into cash Westlake High School was recently named the Maryland winner of the Recycle Bowl, the first nationwide recycling competition for students, sponsored by Keep America Beautiful. Westlake won first place in the school-against-school competition for Maryland and received \$1,000, according to a news release from Keep America Beautiful, a Connecticut-based volunteer community action and education organization. Keep America Beautiful was formed in 1953. According to information provided by the program, 24 Maryland schools participated in the competition, and nine schools participated in the school-against-school division. The Waldorf school has been recycling for several years, but in the past five years, the students have pretty much taken over the process, school officials said.

The Federal Eye : Agencies told to reuse, recycle electronics GSA issues order to keep used government electronics out of the trash. The federal government estimates that it retires 10,000 computers each week, among other electronic devices that have outlived their usefulness, and although it knows that most of them are resold, donated or recycled, it wants to make sure that the rest are not simply hauled off to the dump.

### **WAMU-RADIO**

From Early Bird Activists March For Fracking Tax In Maryland Opponents of fracking, the controversial drilling technique that extracts natural gas from rock, are rallying in Annapolis. The activists are marching in support of a bill that would assess a \$10 per-acre fee on land leased for extracting gas in the Marcellus Shale. Fracking, short for hydraulic fracturing, involves blasting through layers of rock with a combination of water and chemicals. The process includes the potential for contamination of ground water in the blasted area, and environmentalists are concerned about the long-term effects on the surrounding ecosystems as well as the residents that inhabit them. The bill, sponsored by Delegate Heather Mizeur of Montgomery County, would use the fee to pay for a safe drilling study commissioned last year by Governor Martin O'Malley. The Senate version of the bill will be heard in that chamber's Finance Committee today. The only portion of the Marcellus Shale that lies in Maryland is in the western part of the state.

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## **DELAWARE**

### **DELAWARE CAPE GAZETTE**

From Early Bird Farmland preservation dollars in limbo This time last year, farmland preservation looked to be getting no state funding; it ended up with \$10 million, some of which was used to start the Young Farmers Program, which helps young farmers purchase farmland. In the proposed Fiscal Year 2013 budget, farmland preservation is slated to receive \$2 million. During a Feb. 28 meeting in Dover, the bond bill committee discussed increasing that number. In the end, the committee agreed to revisit funding. Such is budget time, said Robin West of the Delaware Department of Agriculture. "The way I look at it, at this time last year we had zero; this year we have \$2 million," said West. "That's an improvement." Deputy Secretary of Agriculture Austin Short said, "The governor's proposal is \$2 million for the Aglands Preservation Program - \$1.5 for the traditional Aglands Preservation Program and \$500,000 for Young Farmers." West said, "We will have some money. We just never know how much." Federal money is available for farmland preservation, but it depends on state dollars coming in as well. "It's a three-to-one ratio, meaning every dollar we put up, we get three times from the federal government," West said. "Usually when legislators know we have money sitting there, they come through with funding." However, she said, if funding from the state dries up, the federal dollars will be given to another state. "Once we don't make the window, the federal officials move on," said West. "We've been very successful at getting federal funding. Maybe it's because we are a small state, but we have ironed out our process so we can get properties preserved through the program quickly." When the program first started in the early 2000s, six farms were given funds for farmland preservation. This past preservation cycle, 35 farms were preserved.

### **NEWSWORKS.ORG**



Delaware's plan for cleaner streams The public is invited to attend a forum on Delaware's Watershed Implementation Plan for the Chesapeake Bay Watershed today. The event runs from 4:00-7:00 p.m. at the Farmington Volunteer Fire Company at 20920 S. Dupont Hwy., U.S. Route 13 in Farmington. Committee members and partners will present the status and work underway on Delaware's plan for cleaner instate streams and the Chesapeake Bay – the Draft Phase II Watershed Implementation Plan (WIP). The public can meet one-on-one with committee members, view posters and materials, ask questions and learn how they can get involved in developing and implementing Delaware's plan. Written public comments will be accepted at the forum. The public comment period for Delaware's Draft Phase II WIP continues through March 21, 2012.

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## WEST VIRGINIA

### **CHARLESTON GAZETTE**

From Early Bird Blog: House Democrats defend OSMRE in mountaintop removal 'stream protection' rule controversy We've covered here before the ongoing — and rather cooked-up — controversy over the federal Office of Surface Mining Reclamation and Enforcement's efforts to rewrite the stream buffer zone rule into something that OSMRE Director Joe Pizarchik insists on calling the "stream protection rule" (see [here](#), [here](#) and [here](#)). Well, the issue was on display again yesterday, during a hearing before a Republican-controlled House Natural Resources Committee hearing. Subcommittee leaders did their past to muddy the water, so to speak, on the issue of mountaintop removal and its impacts on both [the environment](#) and [public health](#). Here's how the GOP's [press release](#) described the matter:

From Early Bird Recycling center closure may be temporary CHARLESTON, W.Va. -- The director of the Kanawha County Solid Waste Authority hopes the closing of the Slack Street recycling center is just a temporary setback. "We're going to be moving," Norm Steenstra said Tuesday. "We just don't know where yet." On Monday, members of the Solid Waste Authority's board of directors held an emergency meeting to decide the fate of the Slack Street recycling center. They announced that the facility will close at the end of the week. Steenstra said solid waste officials have been looking for a new site for a recycling facility for several years because of the deteriorating condition of the Slack Street building. "It's a 100-year-old plant," Steenstra said. "For three years we've been looking for funding and advice on what to do with it. "The building is buckling," he said. "The roof leaks and there are holes in the ground going down two stories that we've covered up with metal plates to drive the fork lifts over." Recently, board members hired an engineering firm and architect to determine what it would take to repair the Slack Street center. The price tag came back at \$1.5 million, more than the Solid Waste Authority's \$1.2 million annual budget. "The question has always been how much lipstick do you put on this pig," Steenstra said. "The engineers and architects felt it was just too dangerous to continue." Steenstra said the board of directors didn't know how bad the Slack Street building was -- or how much it would cost to fix -- until they got the recent report. "I honestly thought I'd have three or four more months to find another location," he said. He said the Solid Waste Authority has looked at alternate sites for a recycling center in Campbell's Creek, near Cross Lanes, in Dunbar and in South Charleston. The most viable seems to be on property formerly owned by Evans Lumber in South Charleston, which is located near a railroad line. Steenstra said the authority has been working closely with South Charleston Mayor Frank Mullens on the property, and has been in contact with the property owner. But Steenstra doesn't know how long it might take to work out a deal for the property, or how long it might take to upgrade the electrical service at the facility.

### **CHARLESTON DAILY MAIL**

From Early Bird Editorial: Do recycling programs make economic sense The Kanawha County Solid Waste says on its website that recycling one six-pack of aluminum cans saves enough energy to run a television set for 18

hours, and that recycling just half the plastic water bottles used in the county would save more than 75,000 barrels of foreign oil each year. It's such an attractive idea. But collecting and handling tons of discarded material from Charleston, South Charleston, Dunbar and St. Albans takes substantial amounts of energy, which is an issue in the latest challenge facing the authority. It has been using a 100-year-old building that engineers say is unsafe and can no longer be used. This leaves local officials discussing alternatives. Two surfaced Monday at a Charleston City Council meeting. The authority could haul it all to Raleigh County. Or the city, which is required by the state to recycle, could haul its stuff to a for-profit business in Nitro and perhaps recoup at least some of its costs. But, said Charleston Mayor Danny Jones: "Taking it to Nitro isn't a long-term solution because that's too far to haul it." Legislators need to study whether the state's current approach is working. With gasoline heading for \$4 a gallon, expensively handling materials for which there is no market doesn't seem like the brightest idea.

**From Early Bird** Recycling center considers options CHARLESTON, W.Va. -- As several cities scramble to find alternative drop-off sites for recyclables, the Kanawha County Solid Waste Authority is laying off employees and considering options for a new center at Slack Street or elsewhere. The authority board voted Monday to close the center because of structural issues and combustible dust in the building at the Slack Street site. Authority Executive Director Norm Steenstra spent Tuesday supervising the removal of material from the center. All of the machines used to process and package recyclables have been shut down to minimize the vibration in the structurally unsound building, he said. Steenstra laid off about eight workers Tuesday and seven on Monday, he said. About nine employees, including Steenstra and other administrative staff, have been retained. The remaining employees could be laid off as well if a new location is not found soon, he said. Steenstra was unsure how long the staff could continue to work without an operational facility. "Right now we're in triage mode," he said.

**From Early Bird** Cities left scrambling for recycling solution CHARLESTON, W.Va. - Charleston, South Charleston and St. Albans officials said their cities still will pick up recyclables left at the curb despite the announced closure of the Slack Street recycling center. Dunbar city leaders are exploring whether or not to discontinue the service. Unlike the other three cities, Dunbar has a population of fewer than 10,000 and is not required to operate a recycling program under state law. The center will not accept recyclables from citizens or cities around the county after Thursday. The four cities currently take their recyclables to the Slack Street center because they don't have recycling facilities of their own, said Kanawha County Solid Waste Authority Executive Director Norm Steenstra. The Slack Street Center handles about 7,000 tons of recycled materials per year, he said. Structural issues caused the authority to decide to close the facility at the end of the business day on Thursday. The building, which is about 100 years old, has holes in the ceiling. The floors also are in shabby condition. Combustible dust from poor ventilation prompted board members to close the facility because they feared for the safety of the public as well as the employees, Steenstra said.

## **BLUEFIELD DAILY TELEGRAPH**

**From Early Bird** Consol Energy reduces continuous mining and coal production, longwall idled OAKWOOD, Va. — Consol Energy, Inc. announced Tuesday it will be reducing production and idling a portion of a Buchanan County coal mine. The Pittsburgh-based company said it will idle the longwall mining unit and reduce the continuous mining operations to five days a week at the Buchanan Mine in Oakwood. In a company statement, Consol reported there would be no layoffs, "however most overtime and other non-essential work may be postponed until resumption of normal operations." A total of 778 employees work at the Buchanan mine, and the company stated it will continue to "work on safety and compliance" at the mine. Lynn Seay, director of media relations at Consol Energy, said employees working in the longwall mining unit will be reassigned to other parts of the Buchanan mine. "There will be no layoffs," Seay said. "There are five continuous mining machines that are going to continue to operate. We will just reassign different groups to work those continuous mining machines while the longwall is idled. It was operated for seven days a week since 1997, and we will reducing to five days a week. The longwall was idled Tuesday and we are in the process of figuring out the schedule for the reduced operations." Seay said there is no date set for resuming operation of the longwall mining unit. "We are consistently re-evaluating where the market is, and we will make our decision as the market evolves," Seay said. "This decision

is completely market-driven. Work not essential to core operations will be suspended indefinitely.”

### **WEST VIRGINIA STATE JOURNAL**

**From Early Bird** Industry debuts Marcellus to Main Street initiative Industries within the Marcellus shale drilling area are reaching out to local businesses looking for partnerships. The Marcellus Shale Coalition, a Pennsylvania-based industry advocate, announced creation of "Marcellus on Main Street" March 6. The initiative creates a website where small- and mid-sized businesses can engage with energy companies, contractors and suppliers associated with the development of the natural gas industry. The website provides a directory of places where gas industry professionals can look not only for work opportunities, but also places to live and play in the multi-state region encompassing the Marcellus shale gas play. Kathryn Klaber, president of the Marcellus Shale Coalition, said the initiative is "truly a broad-based economic opportunity." "We are happy to be rolling out a project that we think really will do a lot for all of us," she said. "It certainly can capture the incredible stories of the impact to Main Street. I think all of us in the industry have many anecdotal stories of coming across a company that says they were about to close their doors, but this was a new revenue opportunity, and let's just say the entrepreneurial spirit is alive and well in the Marcellus." The website lists a number of opportunities for using local supplies chains in West Virginia, Ohio, Pennsylvania, New York and Maryland. "There's no way that we would have been able to grow to the point that we are today without the assistance of the professionals who know the lay of the land here in Pennsylvania, but it goes way beyond that, as our online business directory will show" Klaber said. The Marcellus on Main Street already lists a number of businesses, self-populated by interested parties. A business can be listed on the site for a \$25 fee.

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## **MARYLAND**

### **BALTIMORE SUN**

**From Early Bird** Gas drilling study fee debated A study of how or whether to allow a controversial drilling method for extracting natural gas in Western Maryland cannot be finished without funding, state officials told lawmakers Tuesday. O'Malley administration officials joined environmentalists in supporting a bill that would pay for their year-old study of hydraulic fracturing by levying a fee on the estimated 150,000 acres leased for gas exploration in Garrett and Allegany counties. Business and oil industry representatives opposed the fee, arguing that it could dampen prospects for drilling to boost the economically depressed region. The bill, heard by the Senate Education, Health and Environmental Affairs Committee, would raise about \$3 million over the next two years by charging gas companies \$10 per acre on leased land. Officials said they need perhaps \$2 million to finish their study of potential problems and safeguards. Hydraulic fracturing, commonly known as "fracking," involves extracting natural gas by pumping large quantities of water mixed with sand and chemicals to fracture or break up fuel-containing shale layers deep underground.

**From Early Bird** Lawmakers gird for renewed debate on lead poisoning Landlords seek help with lawsuits; advocates want more homes regulated. With efforts to reduce lead poisoning among children at a crossroads, Maryland lawmakers are wrestling with proposals to expand state regulation of home sales, rentals and repairs to reduce youngsters' exposure to the toxic metal. But the biggest question facing legislators might be how — or whether — to help landlords facing a flurry of lead-paint poisoning lawsuits from former tenants. The number of young children reported poisoned by lead in Maryland has dropped 98 percent since the mid-1990s. Still, more than 500 youngsters statewide turned up with harmful levels in their blood in 2010, risking lifelong learning, behavior and other health problems. Eight bills have been introduced in the General Assembly dealing with the contentious issue, which pits owners of rental housing against children's health advocates because most older homes contain lead-based paint. A house committee will hear six of the measures Wednesday.

**From Early Bird** Wormlike apparatus deployed to check for water main problems Overnight Tuesday, a wormlike apparatus with green plastic tentacles sending out electromagnetic waves was to wind its way through nearly six miles of a Baltimore water main, detecting potential trouble areas along the pipe. "This is better for pipes that can't be taken out of service" for manual checks, said Travis Wagner, a civil engineer with Pure Technologies, a company with offices in Columbia that owns the tool, called the PipeDiver. The device is being used to inspect the Southwest Transmission Main, a stretch of pipe that is more than four feet in diameter and runs from the Ashburton Water Filtration Plant in Northwest Baltimore into Baltimore, Howard and Anne Arundel counties. It's the first inspection of this type in Baltimore and is expected to accomplish in less than 12 hours what would normally take at least two weeks. Moreover, the PipeDiver is expected to cost less and reduce service disruptions. It's difficult to estimate the full cost of manual inspection, city officials said. The Southwest Main is made up of pipes — called pre-stressed concrete cylinders — that have a layer of wire wrapped around a concrete-and-steel core. Over time, the wire can degrade and break, making the main more likely to burst. Tuesday night's inspection was intended to prevent ruptures like the one in September 2009 that flooded dozens of Dundalk homes. A 6-foot-wide pre-stressed concrete main released millions of gallons, deluging a shopping center and washing out a main southeast Baltimore County road. Kurt Kocher, a spokesman for the city's Public Works Department, said that crews began preparing the pipe around noon Tuesday by draining water from several feet of the main where the device was to be inserted. The PipeDiver was scheduled to be released at 9 p.m. It was to travel along with the water's current until it is ready for retrieval about 5.7 miles downstream at 8:30 a.m. Wednesday. Pure Technologies will analyze the data collected in Tuesday evening's inspection and notify the city of problem areas along the main in about two months, Wagner said.

**From Early Bird Blog:** Green groups seek stream helpers Spring is almost here, and green groups are recruiting volunteers to watchdog Maryland's river and stream health. The Severn River Association is looking for help to protect the Chesapeake Bay tributary from mud washing off construction sites in spring rains. A recent audit by Community & Environmental Defense Services, a consulting firm, estimated that the Severn is being polluted with up to 1.4 million pounds of pollutants because storm-water runoff controls aren't working. In partnership with CEDS, the association is mounting a campaign to check on building sites in the watershed for compliance with state law requiring control of erosion and sediment runoff. A particular focus will be on seeing that builders cover all exposed soil with straw or seed it with grass to minimize muddy runoff. Volunteers attending a workshop from 9:30 a.m. to noon Saturday (3/10) will be trained on how to evaluate construction sites and report on their compliance - or lack thereof. Log in [here](#) to register to participate or call 410-654-3021. The Friends of Patapsco Valley & Heritage Greenway also are seeking stream-watching volunteers. The group is offering training Saturday (3/10) on how to monitor stream health and organize litter cleanups. The workshop is from 10 a.m. to 11:30 a.m. at historic Pfeiffer's Corner School House, 6109 Rockburn Branch Park Road, ElkrIDGE. To register in advance, go [here](#).

## ***CUMBERLAND TIMES-NEWS***

**From Early Bird** Fracking opponents want fees, warnings CUMBERLAND — Opponents of the use of hydraulic fracturing to drill for natural gas in the Marcellus shale of Western Maryland say they want fees to pay for further study of the process and its possible impact and also want those thinking of leasing their land for drilling to be warned of the possible dangers. Advocates for the fee held a press conference on Lawyer's Mall in Annapolis on Tuesday, led by Delegate Heather Mizeur, D-Montgomery, and members of the Chesapeake Climate Action Network. Mizeur is a sponsor of House Bills 1034 and 1204, which propose the fees and lease warnings. The press conference preceded a hearing before the Senate Education, Health and Environmental Affairs Committee on the Senate companion bill on the fees, SB 798. "Evidence continues to mount that Maryland was wise in its go-slow, study-first approach to shale gas drilling" said Mizeur. "It is up to us to protect our communities and regulate this industry, and the way we do that is through fully funding the study, completing the study and determining whether and how Maryland proceeds on this issue. Second chances are expensive. Maryland needs the time, and the funding, to get this right." The fee bill would require payment of a \$10 fee per leased acre for gas development to be paid by the company that leases the land for drilling. The fees would be paid into the Oil and Gas fund of the Maryland Department of the Environment, according to the fiscal and policy note for the bill prepared by the

Department of Legislative Services. The fees would be retroactive to land leased since Jan. 1, 2007. Land leased after July 1, 2012, would be subject to an annual \$10 fee per acre. The money would fund studies for the governor's Marcellus Shale Safe Drilling Initiative Advisory Commission. Failure to pay the fee could result in an administrative penalty of up to \$10,000 a day. Revenue for the state is estimated at about \$1.6 million in fiscal years 2013 and 2014 if the bill should become law.

### ***EASTON STAR-DEMOCRAT***

From Early Bird Photo contest set for Bay Report Card cover CAMBRIDGE Ecocheck, a partnership between the University of Maryland Center for Environmental Science and NOAA, is holding a photo contest, with the winning photo going on the cover of the 2011 Chesapeake Bay Report Card. Photos should be of anything relating to the Chesapeake Bay, from weather events to wildlife. This is the first time a photo contest has been set up for the report card cover art. Submit your photos by March 15 and you could win \$250 if your photo is chosen for the cover of the report card.

### ***DIAMONDBACK ONLINE***

City looks to work with environmental experts 'Green team' to help College Park become EPA certified. City officials hope to unite environmental experts from the community to form a "green team," the city's next step to advance its status as a local leader in sustainability. In order to gain certification through the EPA's Sustainable Maryland Certified Program — a voluntary program launched in June to encourage municipalities to become more environmentally friendly — College Park must score 150 points by carrying out green initiatives. At last night's College Park City Council meeting, officials proposed that organizing a group of experts would propel the city to that benchmark by determining specific problem areas in the city's green efforts. City Senior Planner Elisa Vitale said the city will accept nominations of residents and business leaders to join the team of experts. Once the team is established, it would survey residents and business owners and then examine environmental efforts the city can undertake, such as creating community gardens, implementing energy audits, monitoring the city's greenhouse gas emissions and carbon footprint and promoting health and wellness, Vitale said.

### ***SOUTHERN MARYLAND ONLINE***

Chesapeake Born: Restoring Our Waters Requires Vigilant Monitoring

*Environmental Commentary by Tom Horton*

In the highest tech hospital, one of the first things they still do is simply take your pulse. And if I could go back to when the Chesapeake Bay's health was better and make changes to keep it that way, a lot of them would focus on simply taking the estuary's vital signs. Comprehensive, long-term and well-publicized monitoring of trends in water chemistry, aquatic life, and land use throughout the watershed could have saved so much time and argument. It could have saved money by preventing the worst declines and by guiding restoration more efficiently. Many of today's best bay successes and restoration efforts sprang from excellent monitoring. Monitoring will never lend itself to photo ops and glad press releases; indeed, it may initially reveal bad news. Measuring vital parameters like the density and variety of burrowing organisms in bay sediments is out of sight, out of mind, always a tempting budget cut.

Yet there are probably no ecosystems on earth where continuous data collection is more crucial for managing than in estuaries like the Chesapeake.

### ***MARYLAND GAZETTE***

Revitalizing Baltimore key to state's economic health Federal role in port investment considered. Baltimore's made significant strides from the urban decay of the 1980s, in part because of federal investment in a wide range of revitalization efforts. The federal government has invested in countless programs in Baltimore — from helping to fund the expansion of Johns Hopkins University to redevelopment of older neighborhoods to environmental programs to clean up the Patapsco River and Army Corps of Engineering programs to dredge the harbor. In 2012, alone, more than \$18.6 million will be spent on annual dredging of the Chesapeake Bay and Delaware Canal, used as a shortcut between Baltimore and ports north, and \$13.6 million for dredging the port's shipping channels. Sen.

Barbara Mikulski (D) of Baltimore calls such federal investments a "jobs" bill because more than 50,000 jobs are tied to Baltimore's port. "This federal investment in the lives and livelihoods of those who depend on clean and open waterways will keep businesses open and keep Marylanders working," Mikulski said. "Without federal funding, our dredging program doesn't happen," said Richard Scher, director of communications for the Maryland Port Administration. "Keeping channels deep and wide enough to accommodate today's massive cargo vessels is critical for a port's survival."

### ***SALISBURY DAILY TIMES***

Ghost pot program relaunched DEAL ISLAND -- Watermen will go to work in about two weeks, removing old crab pots and other debris that harm underwater species on the bottom of the Chesapeake Bay. The state's ghost pot retrieval program also helps put watermen to work at a normally slow time of year. "Oystering is dwindling down and it's too early for crabbing," said Danny Webster of Deal Island. "Watermen need the money." Webster said he has applied to take part in this year's program, but hasn't yet heard if he has been selected. The state received 1,000 applications, but will narrow that number down over the next few weeks, he said.

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## **VIRGINIA**

### ***RICHMOND TIMES-DISPATCH***

From Early Bird Editorial: Mine Explosion: Justice in progress The 2010 explosion that ripped through the Upper Big Branch mine in West Virginia, killing 29 people, was a horrendous tragedy. The pain inflicted on the families of the victims was compounded by revelations about the handling of safety standards and the behavior of Massey officials, such as Elbert Stover. Last fall, a jury convicted Stover, who headed up security at the mine, of lying to federal investigators about company policy pertaining to advance notice of federal inspections. He also was convicted of obstructing a federal criminal investigation. The other day, U.S. District Judge Irene Berger sentenced Stover to three years in the slammer. Although Stover had been eligible for up to 25 years behind bars, the U.S. attorney said he was not disappointed by what evidently is one of the longest sentences related to a mine accident.

### ***NORFOLK VIRGINIAN-PILOT***

From Early Bird Dendron reaffirms approval of \$5B coal-fired plant DENDRON --They moved the meeting to the garage of the volunteer fire station, and crowds parked in frost-covered fields before engaging Monday night in another battle over one of the biggest projects to surface in Western Tidewater: a proposed \$5 billion power plant. Two years ago, the Dendron Town Council voted in favor of what would be the largest coal-fired power station in Virginia, about 60 miles west of downtown Norfolk, but a Surry County judge ruled the vote illegal and negated the result. So opponents - environmentalists, students, scientists, would-be neighbors, concerned parents - geared up for another chance Monday to sway the council, whose six members and mayor have all endorsed the project as an opportunity to create hundreds of jobs, expand the local tax base, pay for public improvements and spark a slack economy. Critics argued that the plant would rain tons of pollutants such as mercury and arsenic on children, streams and the Chesapeake Bay and represents a dirty, dinosaur technology amid cleaner alternatives in a changing world. They urged the council to conduct an independent study, to delay action, and some challenged members directly and personally. "You are your brother's keeper, and I see blood on your hands," Helen Eggleston, a Dendron resident, told the council. Nearly 60 speakers stepped to the podium, with opponents outnumbering plant supporters, who also got overheated at times. Joe Hancock, who lives in nearby Wakefield, spoke near the end of the three-hour marathon and said the safety and environmental concerns raised by those who traveled from Norfolk, Virginia Beach, Williamsburg and elsewhere were "pure hogwash."

## **WILLIAMSBURG YORKTOWN DAILY**

**From Early Bird** Coal Plant Receives Local Approval for Second Time Despite many people speaking out in opposition, Dendron's town council again voted to approve a rezoning that will allow a large coal-fired power plant to be built in the town about 20 miles outside Williamsburg. Old Dominion Electric Cooperative has plans to build a \$6 billion, 1,500-megawatt power plant, and received local approvals for zoning and land use changes from the town of Dendron in 2010. A judge recently found that the public hearing on the vote wasn't properly advertised, so ODEC had to go through the approval process a second time. ODEC received approval for a second time from the county's planning department last week, and then the council voted at its meeting Monday night to again approve the application. According to several accounts of the meeting, 55 people spoke out against ODEC's proposal and 15 spoke in favor of it. ODEC spokesman David Hudgins was not at Monday's meeting, but said Tuesday that "it was gratifying to see the unanimous approval of our plant. It isn't often that a municipality has the opportunity to re-visit a land use decision. The affirmation of a united and unanimous Dendron Town Council is gratifying and represents the vast majority of the Dendron population in their desire for jobs and investment in their community. "We look forward continuing the licensing process and bringing this base load plant on-line." According to a press release Tuesday from Wise Energy for Virginia, a coalition made up of several activist groups opposed to the coal plant, "Dendron Town Council ignored the county Planning Commission's request to require a third-party to study the potential health and economic effects that the coal plant would have on their community and the rest of Hampton Roads. Many citizens echoed the request of the Planning Commission, as did Isle of Wight County in an official request in 2010." The Chesapeake Bay Foundation also issued a statement about Monday's vote, calling it "another unfortunate step toward a facility that threatens to harm the health of citizens, the quality of our local rivers, the Chesapeake Bay, the air we breathe, and the region's economy. "Careful analysis of the proposed power plant's impacts on the region makes it clear the facility would add more pollution to the environment and make even more difficult the challenge of restoring the ecological and economic viability of the Bay and air quality in Hampton Roads.

## **NEWPORT NEWS DAILY PRESS**

**From Early Bird** Obama's budget would slash beach monitoring \$\$ Every year, starting in the spring and lasting until autumn, signs are posted at beaches in Hampton Roads. The signs warn people that elevated levels of bacteria — often flushed into the water from farms, forests and wastewater treatment plants — have made it dangerous to swim. The warnings, which help prevent stomach ailments, could become less common. President Barack Obama's 2013 proposed budget would cut about \$10 million nationwide for beach water quality testing. Virginia would lose \$273,000 annually that is used to monitor the Potomac River down to Virginia Beach. The cut would likely reduce the state's program, though officials aren't sure by how much. "Our ability to perform monitoring and notification at many of our beach sites would be impacted," said Rebecca LePrell, director for environmental epidemiology with the Virginia Department of Health. Last year, officials issued 36 warnings throughout Virginia, including several at Peninsula hot spots such as Hilton, Buckroe and Huntington beaches, according to the health department's website. About 3.5 million people get sick enough each year from bacteria at beaches to throw up or have diarrhea, according to the U.S. Environmental Protection Agency.

**From Early Bird** Dominion to Feds: Delay Google's wind line Dominion Resources Inc. has asked the federal government to suspend a Google-backed venture to build a \$5 billion transmission line for future offshore wind power projects in the Atlantic Ocean. The Richmond-based utility said Atlantic Wind Connection's request for a right-of-way through potential lease areas off the coasts of Virginia, Maryland, Delaware and New Jersey is premature, according to documents filed with the Bureau of Ocean Energy Management. Dominion said the right-of-way should be awarded only if the transmission line is approved by the region's electricity grid operator, PJM Interconnection, and after the Bureau of Ocean Energy Management awards leases to energy companies seeking to build offshore wind turbines. Until that occurs, "BOEM should suspend these proceedings," Guy Chapman, Dominion's director of renewable energy research and program development, said in paperwork filed Feb. 21 with BOEM. Atlantic Wind Connection CEO Robert Mitchell said he was not surprised by Chapman's comments. He noted that Dominion, the state's dominant electricity provider, plans to bid on the lease areas off Virginia's coast. It

is also studying how to build a transmission line that would connect to a substation it owns in Virginia Beach.

**From Early Bird** Dendron OKs coal plant in Surry County SURRY — With no discussion, the Dendron Town Council unanimously reaffirmed land-use changes to pave way for a 1500-megawatt coal-fired power plant, which would be the largest in the state. More than 200 residents turned out at the Dendron Volunteer Fire Department for a five-hour public hearing on Old Dominion Electric Cooperative's plan to build the \$5 billion coal plant in Dendron. The council reconsidered amending its comprehensive plan and zoning, as well as issuing a conditional-use permit, after its 2010 approval was overturned in circuit court. A Surry County judge ruled that the town's approvals were invalid because the meeting had not been properly advertised. The conditional use permit Dendron approved Monday included new protections, recommended last week by Surry County's Planning Commission, that Old Dominion provide emergency medical personnel during plant construction, that the electric cooperative try to hire locals and that only coal ash from the on-site power plant be stored. The last was an attempt to close what critics call "the landfill loophole," or the concern that, once zoned for industrial use, Old Dominion can use the 1,300-acre site to store coal ash from other plants. Absent in the amendments was an agreement to pursue an independent environmental study of the plant, which at least one member of Surry's Planning Commission had recommended last week. The recommendation was left out of the town's considerations after an Old Dominion representative told the council that the Army Corps of Engineers had already contracted an independent study as part of its review.

### **FREDERICKSBURG FREELANCE STAR**

**From Early Bird** Biosolids issue tabled again For the second month in a row, the Culpeper County Board of Supervisors tabled a request by Recyc Systems to obtain a use permit to build a biosolids storage facility on 220 acres of land between Elkwood and Remington. Tuesday night's tabling came at the request of Recyc, which has now added two noted attorneys—John Foote and Tim Hayes—to a team that already includes Butch Davies and Rex Edwards. "I would expect this to be the final deferral," said Supervisor Tom Underwood, who made the motion to table the issue until April. "Next month we need to either vote it up or down," Supervisor Steve Nixon added. At first it seemed the board wanted to settle the issue Tuesday night, but Davies explained that some of the worries neighbors had addressed at the last meeting—like traffic and environmental concerns—were being more closely examined. "I would like to hold off until we hear from a DEQ [Department of Environmental Quality] representative," said Supervisor Sue Hansohn. Davies said a state representative is scheduled to attend next month's meeting. Supervisor Larry Aylor said he was pretty sure how he was going to vote but added, "Things can change in 30 days." Several speakers (who did not speak last month) expressed their concerns during the continuation of a public hearing on the matter. That public hearing was again continued until the April meeting.

### **ASSOCIATED PRESS (Va.)**

**Activists: EPA should end Va.'s water permit power** APPALACHIA, Va. (WTW) — Activists want the Environmental Protection Agency to strip Virginia regulators of the power to grant federal Clean Water Act permits for mountaintop removal coal mines. The Sierra Club, Southern Appalachian Mountain Stewards and Appalachian Mountain Advocates say Virginia has consistently violated federal law in failing to notify the public when it issues such permits. They say residents are also entitled to public hearings. EPA and the Virginia Department of Mines, Minerals and Energy say they're reviewing the petition but didn't comment further Wednesday. Matt Helper of Southern Appalachian Mountain Stewards says Virginia's notification system is inadequate, and Freedom of Information Act requests to the state agency are prohibitively expensive. Other states, including West Virginia and Kentucky, post basic mine permit information online. Helper says Virginia's system needs updating.

### **RICHMOND PROGRESSIVE EXAMINER**

**Dominion Continues its Gassy Rampage with another Natural Gas Plant in VA** Dominion VA Power's most recent brilliant idea for turning Virginia into an energy independent Mecca that the world over can envy comes in the form of a \$1.1 billion natural gas-fired power plant[1] in Southside Virginia. If approved by Virginia's "regulators," that natural gas ship would start sailing (and polluting) in 2016. While natural gas is a better energy alternative than the



coal-fired power plants[2] at Dominion's Chesapeake Energy Center in Chesapeake and Yorktown Power Station that Dominion publicly announced it would close by 2016, natural gas is still a significant greenhouse gas threat and it's unclear how long natural gas can fill Virginia's energy needs in any meaningful way.

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## MISCELLANEOUS

### **BNA DAILY ENVIRONMENT REPORT**

**From Early Bird** House Panel Questions Need for EPA Studies on Hydraulic Fracturing Republican members of a House subcommittee criticize EPA's budget request for studies of hydraulic fracturing. At a time when everyone is being asked to make sacrifices, EPA is expanding its efforts in the area even in the absence of a congressional mandate, Rep. Harris, chairman of the Science, Space, and Technology Subcommittee on Energy and Environment, says during a hearing. Lek Kadeli, acting EPA assistant administrator for research and development, says of the research, "[I]t's important to get this right."

**From Early Bird** EPA Sued Over Air Toxics Standards for Lead Smelting Facilities Both industry and environmental groups are suing EPA over revised air toxics standards for secondary lead smelting facilities, which are expected to help bring some areas into compliance with the air quality standard for lead. The Association of Battery Recyclers Inc., Johnson Controls Battery Group Inc., Doe Run Resources Corp., and the Sierra Club file separate petitions for review in the U.S. Court of Appeals for the District of Columbia Circuit.

**From Early Bird** EPA, Corps Guidance Does Not Give Blanket Protection to Isolated Waters EPA and the U.S. Army Corps of Engineers will not consider blanket protection under the Clean Water act for geographically isolated waters, but they reserve the right to make case-by-case determinations on those waters, according to joint guidance obtained by Bloomberg BNA. The White House Office of Management and Budget began reviewing the final guidance last month. The guidance is intended to clarify which waters are subject to Clean Water Act jurisdiction in response to two key Supreme Court decisions

### **ASSOCIATED PRESS**

**From Early Bird** Transportation bill fails to clear Senate WASHINGTON - Lawmakers are under pressure to find a way to keep federal aid flowing to highway and transit programs after the end of the month after a transportation bill failed Tuesday to clear a procedural hurdle in the Senate. The government's power to spend federal Highway Trust Fund money on transportation programs and to levy federal gas and diesel taxes that support the trust fund are due to expire March 31. If they expire, states could have difficulty paying for construction projects already in progress and would likely be reluctant to commit to new projects, lawmakers and transportation interest groups said. As many as 800,000 workers could lose their jobs, said Senate Majority Leader Harry Reid (D., Nev.), trying unsuccessfully to persuade Republican senators to limit debate on the \$109 billion bill, which would overhaul transportation programs and keep them from running out of money for about two years.

**Obama: Fuel-efficient cars are long-term answers to high gas prices** WASHINGTON — President Barack Obama says higher auto mileage standards set under his administration and better cars built by a resurgent U.S. auto industry will save money at the gas pump over the long term, a counterpoint to Republican criticism of his energy policy. In his weekly radio and online address Saturday, Obama said Detroit automakers are on track to build cars that average nearly 55 miles per gallon by 2025, doubling current mileage standards.

### **THE TENNESSEAN**

**From Early Bird Commentary: Mountaintop removal violates Christian faith** There's been some big news in Tennessee lately about mountaintop removal coal mining. The Tennessee Scenic Vistas Protection Act, which would ban most mountaintop removal mining, passed the Senate Environment Committee, but with an amendment that maintains the status quo and destroys the original intention of the bill: protecting Tennessee's mountains and the people who live in them. My family has working farms in West Tennessee that date back to the early 1800s. Those farms continue to produce because generations have practiced good stewardship, careful not to take anything out of the land that would limit its value to future generations. As a son of Tennessee and as a Christian, protecting God's Creation is not merely environmentalism to me. It is a matter of faith. The book of Genesis teaches us that when God looked out at the created world, God saw that "it was very good." Furthermore, the psalmist tells us "the earth is Lord's and all that is in it." We are called by our faith to care responsibly for the world that our Creator has made, and to do justice for our neighbors. Mountaintop removal, by damaging God's creation and the well-being of our brothers and sisters, runs contrary to our Christian obligation to each other and to our environment.

### **WAMC-TV**

**Niagara Falls Won't Treat Drilling Wastewater** NIAGARA FALLS, NY (WAMC) - The Niagara Falls City Council has voted to ban the treatment of waste-water from hydraulic fracturing. WAMC's Dave Lucas reports... Leaders of the city that endured the Love Canal toxic waste crisis in the 1970s say they don't want it to be a test case for so-called fracking waste. Councilman Glenn Choolokian says the council voted 5-0 Monday night to pass his resolution banning the transport, treatment, storage and disposal of waste-water left over from natural gas drilling. The Niagara Falls Water Board has been exploring the idea of treating the waste-water as a way to restore declining revenues. Because the water board is a public authority, it's not immediately clear which entity has final say on the issue. But Choolokian says he's confident his resolution would stand up to any court challenge.

### **ENVIRONMENTAL EXPERT**

**EPA Announces TSCA Work Plan Chemicals** On March 1, 2012, the U.S. Environmental Protection Agency (EPA) Office of Pollution Prevention and Toxics (OPPT) announced a work plan of 83 chemicals for further review under the Toxic Substances Control Act (TSCA). EPA identified seven chemicals for risk assessment in 2012, and intends to complete some of these assessments this year and initiate new assessments from the work plan in the coming years. EPA stated that, this Spring, it plans to identify specific chemicals for risk assessment in 2013 and 2014. More information on the TSCA Work Plan Chemicals is available online. The announcement also briefly discusses OPPT's efforts to 'build the pipeline of future assessment' and its continuing efforts to increase public access to chemical data and information.

### **HUFFINGTON POST**

**Flame Retardants Remain Widespread In Children's Products** Flip over your couch cushion or desk chair and chances are, you'll see the same tag that is affixed to the bottom of many others: "This article meets the flammability requirements of California Bureau of Home Furnishings Technical Bulletin 117." The black-and-white notice also adorns an array of children's products, including car seats, strollers and baby changing mats. It might as well be a red flag, according to many health experts who caution that the added chemicals likely pose a greater health risk than any flames they might fend off. Common flame retardants have been linked with learning disorders, reduced fertility and cancer, they say, and non-chemical alternatives do exist.

### **PEOPLE'S WORLD**

**Mutated fish highlight the danger of selenium** When a two-headed brown trout was found - the offspring of fish in a creek in southern Idaho - concerned scientists and activists had gained a compelling argument. Mining has polluted the water there with a toxic metal called selenium - and local wildlife is paying the price. Photographs of similarly deformed trout were reviewed as part of a scientific study commissioned by J.R. Simplot - the manufacturing and processing company that makes Seakist Tuna, among other products. Simplot's mining operations have exposed nearby water sources with selenium, and the effects of the metal were easy to see: In addition to the two-headed specimen, other trout had facial, fin, and egg deformities.

## ***ENVIRONMENTAL EXPERT***

Concerns Grow Over Radioactive Pollutants in Pennsylvania Cinnaminson, NJ, March 5th, 2012 -- Last month, *The New York Times* published a story about Pennsylvania environmental regulators calling waste treatment and drinking water facilities to increase testing for radioactive materials. The concerns have been prompted by a dramatic increase in natural gas drilling across the state. Wastewater from some of these drilling sites ends up at treatment plants. According to the article, the move follows a recent letter that the Environmental Protection Agency (EPA) sent to the state instructing it to perform testing for radioactivity within 30 days and to review the permits of state treatment plants handling the wastewater. The acting secretary of the Pennsylvania Department of Environmental Protection (DEP) has sent letters requiring additional testing to 14 public water authorities as well as requesting 25 wastewater treatment plants to begin analyzing samples for radium and uranium.

## ***FUELFIX***

Environmental Group Backs State Regulation of Fracking Charged with ensuring that hydraulic fracturing done within their borders is safe for the environment, states across the nation have shown America they are up to the task. For example, Texas recently instituted strong disclosure laws for operators. New York's Department of Environmental Conservation has spent over three years preparing a comprehensive plan to ensure that the state is ready to regulate hydraulic fracturing—the process used to extract natural gas from the earth. Neighboring Pennsylvania just enacted additional new reforms aimed at updating its existing regulatory framework, and Ohio Governor John Kasich announced this week he will unveil new regulations on hydraulic fracturing or “fracking” in the coming months. The proactive efforts by states to regulate fracking should come as no surprise, being that lawmakers have every incentive to ensure that natural gas production within their states is as safe and, therefore, as sustainable as possible. Aside from the obvious importance of protecting people from potential harm caused by poor or out-of-date regulation, there are economic considerations. Production of our shale resources brings an abundance of new jobs and investment—not to mention cheaper energy.